

Exhibit 2

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY

(PCT Rule 43 *bis.1*)

Date of mailing
(day/month/year) **17 NOV 2005 (17-11-2005)**

Applicant's or agent's file reference
832-B-PCT

FOR FURTHER ACTION
see paragraph 2 below

International application No. PCT/IB05/01287	International filing date (day/month/year) 11.FEB.2005(11.02.2005)	Priority date (day/month/year) 11.FEB.2004(11.02.2004)
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International Patent Classification (IPC) or both national classification and IPC
IPC⁷: A47J 31/06

Applicant
ELECTRICAL & ELECTRONICS LIMITED et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis.1*(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.


If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/CN
The State Intellectual Property Office, the
P.R.China 6 Xincheng Rd., Jimeo Bridge,
Haidian District, Beijing, China 100088
Facsimile No. 86-10-62019451

Date of completion of this opinion
20.OCT.2005(20.10.2005)

Authorized officer

Telephone No. **86-10-62085830**

Form PCT/ISA/237(cover sheet)(April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IB05/01287

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

- a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
- b. format of material
☐ on paper
☐ in electronic form
- c. time of filing/furnishing
☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Form PCT/ISA/237(Box No. I) (April 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY		International application No. PCT/IB05/01287
Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1. Statement:		
Novelty (N)	Claims 2, 3, 5, 9, 10, 14-22	YES
	Claims 1, 4, 6-8, 11-13	NO
Inventive step (IS)	Claims 3	YES
	Claims 2, 5, 9, 10, 14-22	NO
Industrial applicability (IA)	Claims 1-22	YES
	Claims	NO
2. Citations and explanations		
D1. WO97/39668A1		
D2. EP0727164A1		
✓ D3. US6481338B1		
D4. EP1319357 A2		
Novelty:		
<p>D1, D2, D3 and D4 are the relevant documents. Document D1 discloses a cartridge holder for preparing a cup of coffee with a small-bubble foam layer, Document D2 discloses a filter carrier unit for an espresso making machine, Document D3 discloses a spoon shaped coffee brewing apparatus, Document D4 discloses a foam generator. Wherein, D1 is considered to represent the most relevant state of the art, referring to pages 4-7 and figures 1-4. The cartridge holder disclosed in Document D1 includes a handle(10) connected to a filter holder(2), a filter(4), jet openings(18) fixed to the filter holder, and the lower holder part which includes the interspace(20) and plurality of openings(14). Such lower holder part can make foam.</p> <p>Thus, all features of subject-matter of claim 1 has been disclosed in the document D1, therefore claim 1 of the present application cannot be considered to be novel(Article 33 (2) PCT).</p> <p>The projects of claims 4, 6-8, 11-13 are also disclosed in the document D1, so the inventions as defined in claims 4, 6-8, 11-13 also cannot be considered to be novel(Article 33 (2) PCT).</p> <p>The projects of claims 2, 3, 5, 9, 10, 14-22 are not disclosed in documents D1-D4, so the inventions as defined in claims 2, 3, 5, 9, 10, 14-22 are considered to be novel(Article 33 (2) PCT).</p>		
Inventive step:		
<p>1. Claims 2, 9, 10 are additional claims, the additional features in claims 2, 9, 10 are common means for the person skilled in the art. Thus the claims 2, 9, 10 are obvious design possibilities for the person skilled in the art from a combination of document D1 with common knowledge. So the inventions as defined in claims 2, 10 cannot be considered to involve an inventive step (Article 33 (3) PCT).</p> <p>2. Claim 5 is an additional claim, the additional features in claim 5 are disclosed in Document D2, and the additional features in document D2 also serve to produce foam. Thus the claim 5 is obvious design possibility for the person skilled in the art from a combination of document D1 with D2. So the invention as defined in claim 5 cannot be considered to involve an inventive step (Article 33 (3) PCT).</p> <p>3. The subject-matter of claim 14 differs from D1 only in that it has mesh, which can be detachably mounted on the top part of receiving container. But said different feature is disclosed in document D3, and the different feature in document D3 also serve to filtrate coffee ground. Thus the brewing filter apparatus to claim 14 is an obvious design possibility for the person skilled in the art from a combination of document D1 and D3. So the invention as defined in claim 14 cannot be considered to involve an inventive step (Article 33 (3) PCT).</p> <p>4. The additional features in claim 15 are common means for the person skilled in the art, the additional features in claim 18, 19, 20, 22 are disclosed in Document D1, the additional features in claim 16, 17 are disclosed in Document D4, the additional features in claim 21 are disclosed in Document D3. So the inventions as defined in claims 15-22 cannot be considered to involve an inventive step (Article 33 (3) PCT).</p>		
Industrial applicability:		
All the claims 1-22 satisfy the criteria of industrial applicability (Article 33 (4) PCT).		

Form PCT/ISA/237(Box No. V) (April 2005)